IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA
WRIT PETITION NO : 9518 of 2004

Between:

Adilabad District private Junior Colleges Management Association, registered Society Registered under the A.P.

Societies Registration Act 35 of 2001 (Reg. No. 319/2004) H.No. 7-1-92, post Office Basthi Bellampalli, Adilabad Dist,

rep. by its President Ch. Bhavana Rushi S/o. Rajaiah, Bellampalli, Adilabad District.

..... PETITIONER

AND

1 The Government of A.P., rep. by its Principal Secretary, Education Dept., Secretariat, Hyd.
2 The Board of Intermediate Education Govt of A.P., Nampalli, Hyd 500 001, rep. by its Secretary.
3 State Council for Higher Education Govt of A.P, Hyd rep. by its Secretary.
4 Director of Higher Education Govt of A.P., Hyderabad.
5 Superintendent of Police Adilabad District, Adilabad.
6 Alphores Academy, Karimnagar rep. by its Director Sri V. Narender Reddy.

....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an order direction or writ particularly one in the nature of writ of Mandamus or any other appropriate writ declaring that the Alphores Academy cannot run a Junior College in the premises of Gautami Junior College, Mancherial and such establishment of a College is in violation of A.P.,Sahakara Junior Kalasalala (Registration, Establishment , Recognition & Regulation) Rules, 1988; and consequently direct the respondents to take appropriate action including the penal action against the management of Alphores Academy and its Directors for violating the provisions in establishment of Junior College at mancherial, Adilabad,

For the Petitioner: M/S K.UDAYA SRI -ADVOCATE

For the Respondents 1,3 & 4: GP FOR HIGHER EDUCATION

For the respondent No.2 : Mr. S.Satyanarayana Prasad-Advocate

The Court at the stage of admission made the Following :

ORDER:

The present writ petition is filed seeking a direction to the effect that the 6th respondent Academy cannot run a Junior college and such establishment of a college is in violation of A.P.Sahakara Junior Kalasalala (Registration, Establishment, Recognition & Regulation) Rules, 1988.

Heard learned counsel for petitioner and learned Government Pleader for Higher Education and Mr.S.Satyanarayana Prasad, learned Standing Counsel for Intermediate Board.

The petitioner herein is an association of Private Junior colleges operating in Adilabad district, formed with an aim to avoid unhealthy competition and to curb illegal transfer of recognition of the colleges etc. It is alleged that the 6th respondent academy has illegally taken over Goutami Junior College and issued a news item to the effect that Goutami Junior College was taken over by it and it is starting a junior college for the academic year 2004-05. It is stated that the petitioner has made several representations to third respondent and also got issued a legal notice to 6th respondent on 14-5-2004 and complain that no action was taken thereon to stop the illegal activities being undertaken by the 6th respondent. Hence, the present writ petition.

Heard learned counsel for petitioner and learned Standing Counsel for second respondent.

The learned Standing Counsel for second respondent on

instructions submitted that the 6th respondent academy has not obtained any sanction from the Board of Intermediate to run a junior college at Mancherial in the premises of Goutami Cooperative Junior College and it cannot make any admissions thereon. It is further stated that the Regional Inspection Officer, Adilabad has issued a press release

on 1-6-2004 making it clear to the parents and students that the 6th respondent academy has no sanction of Board of Intermediate Education and the students admitted therein will not be eligible for Intermediate public examinations.

Since, the respondents had acted in the matter and taken steps to inform the public at large that the 6th respondent has no sanction to run and junior college and the students admitted therein, if any, will not be eligible for Intermediate public examinations, no further orders are required to be passed in the matter.

Accordingly, the writ petition is dismissed. No costs.

N.V.RAMANA,J

23-6-2004

TVK/DA

To

1..The Principal Secretary,
The Government of A.P., Education Dept., Secretariat, Hyd.

2.. The Secretary, Board of Intermediate Education Govt of A.P.,
Nampalli, Hyd 500 001,.

3.. The Secretary, State Council for Higher Education Govt of A.P, Hyd

4.. Director of Higher Education Govt of A.P., Hyderabad.

5.. Superintendent of Police Adilabad District, Adilabad.

6.. 2 CC to G.P. for Higher Education, High Court of A.P.(OUT)

7.. .2CD copies

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